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Richard S. Echler, Sr. 41,006
Name of Attorney/Agent Registration No.

Signature of Attorney or Agent

P&G Case 8570D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of	:	
Michael Philip Clark et al.	:	Confirmation No.
Serial No.	:	Group Art Unit
Filed December 2, 2003	:	Examiner

For Isoxazolone Compounds Useful in Treating Diseases Associated with Unwanted Cytokine Activity

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. [X] **37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)**

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. [] **37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

3. [] **37 C.F.R. §1.97(b)(4) - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). Applicants have not received a first Office Action after filing a Request For Continued Examination (RCE). Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

4. [] **37 C.F.R. §1.97(c) with fee payment - (use when filing IDS after receipt of first Office Action, and before receipt of Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle)* as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

5. [] **Information to be Considered with Continued Prosecution Application (CPA) Filing (use when filing IDS with a Continued Prosecution Application (CPA) for Design Case).** This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 C.F.R. 1.53(d).

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

[] (1) **(For use with applications filed prior to or on June 30, 2003.)** Copies of the cited documents are enclosed.

OR

[] (2) **(For use with applications filed after June 30, 2003.)** In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

OR

[X] (3) All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. 8570, U.S. Patent Application Serial No. 10/140,541, filed 05/07/2002. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

OR

[] (4) Copies of all said documents, except Cite Numbers _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

[] (5) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

[] (6) Applicants also respectfully request the Examiner to consider and make of record the co-pending applications listed on the attached page.

[] Additional information is attached.

Respectfully submitted,

By _____
Richard S. Echler, Sr.
Attorney or Agent for Applicant(s)
Registration No. 41,006
(513) 622-1973

Date: December 2, 2003
Customer No. 27752
(IDS.doc) (Last Revised 10/10/03)

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PTO/SB08A/B (04-03)
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 2

COMPLETE IF KNOWN	
Application Number	10/140,541
Confirmation Number	6529
Filing Date	05/07/2002
First Named Inventor	Michael Philip Clark
Group Art Unit	1614
Examiner Name	
Attorney Docket Number	8570

U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No.[1]	DOCUMENT NUMBER Number - Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	US-5,776,954	07/07/1998	De Laszlo et al.	
	2	US-5,686,455	11/11/1997	Adams et al.	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No.[1]	FOREIGN PATENT DOCUMENT Country Code[3] Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T[6]
	3	WO 00/10563 A1	03/02/2000	SmithKlineBeecham Corp.		
	4	WO 97/47618 A1	12/18/1997	Merck & Co. Inc.		
	5	WO 01/12621 A1	02/22/2001	Vertex Pharmaceuticals Inc.		
	6	WO 00/26209 A1	05/11/2000	Novartis AG		
	7	WO 99/03837 A1	01/28/1999	Orto-McNEIL Pharmaceuticals, Inc.		
	8	WO 95/13067 A1	05/18/1995	SmithKlineBeecham Corp.		

NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	9	DINARELLO, C. A., "Interleukin-1", Reviews of Infectious Diseases, Vol. 6, No. 1, pp. 51-95, 1984.	
	10	MAINI, R. et al., "Infliximab (chimeric anti-tumour necrosis factor α monoclonal antibody) versus placebo in rheumatoid arthritis patients receiving concomitant methotrexate: a randomised phase III trial", The Lancet, Vol. 354, pp. 1932-39, 1999.	
	11	WEINBLATT, M. E. et al., "A Trial of Etanercept, a Recombinant Tumor Necrosis Factor Receptors:Fc Fusion Protein, in Patients with Rheumatoid Arthritis Receiving Methotrexate", The New England J. of Medicine, Vol. 340, No. 4, pp. 253-259, 1999.	
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	13	FARAHAT, M.N. et al., "Cytokine Expression in Synovial Membranes of Patients with Rheumatoid Arthritis and Osteoarthritis", Annals of the Rheumatic Diseases, Vol. 52, pp. 870-875, 1993.	
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	16	WESTACOTT, A. F., et al., "Tumor necrosis factor alpha can contribute to focal loss of cartilage in osteoarthritis", Osteoarthritis and Cartilage, Vol. 8, pp. 213-221, 2000.	
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	19	STACK, W.A., et al., "Randomised controlled trial of CDP571 antibody to tumour necrosis factor-α in Crohn's disease", The Lancet, Vol. 249, No. 9051, pp. 521-4, 1997.	
	20	HAN, J., et al., "Regulation of MEF2 by p38 MAPK and Its Implication in Cardiomyocyte Biology", Trends Cardiovasc Med., Vol. 10, No. 1, pp. 19-22, 2000.	
	21	HUNTER, J.J., et al., "Signaling Pathways for Cardiac Hypertrophy and Failure", The New England J. of Medicine, Vol. 341, No. 17, pp. 1276-1283, 1999.	

	22	BEHR, T.M., et al., "Sustained Activation of Cardiac P38 Mitogen Activated Protein Kinase in the Development of Heart Failure: Premature Mortality is Abolished by Chronic P38 Inhibition in Rat Model of Cardiac Hypertrophy and Failure", Basic Science, Vol. 102, pp. 289, 2000.	
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	27	RRENZETTI, L.M., "Ro 45-2081, a TNF receptor fusion protein, prevents inflammatory responses in the airways", Inflammation Research, 46 Suppl. Vol. 2, pp. S143-4, 1997.	
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	29	HOWELLS, G.L., "Cytokine networks in destructive periodontal disease", Oral Diseases, Vol. 1, pp. 266-270, 1995.	
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	31	BEISEL, W.R., "Herman Award Lecture, 1995: Infection-induced malnutrition-from cholera to cytokines", Am. J. Clin. Nutr., Vol. 62, pp. 813-9, 1995.	
	32	SALITURO, F.G. et al., "Inhibitors of p38 MAP Kinase: Therapeutic Intervention in Cytokine-Mediated Diseases", Current Medicinal Chemistry, Vol. 6, pp. 807-823, 1999.	
	33	FOSTER, M.L. et al., "Potential of p38 Inhibitors in the Treatment of Rheumatoid Arthritis", Drug News Perspect, Vol. 13, No. 8, pp. 488-497, 2000.	
	34	ADAMS, J.L. et al., "Pyrimidinylimidazole Inhibitors of CSBP/P38 Kinase Demonstrating Decreased Inhibition of Hepatic Cytochrome P450 Enzymes", Bioorganic & Medicinal chemistry Letters, Vol. 8, pp. 3111-3116, 1998.	

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1]Applicant's unique citation designation number (optional). [2]See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6]Applicant is to place a check mark here if English language Translation is attached.